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## Center News

Human Rights Brief

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## CENTER NEWS

The Center for Human Rights and Humanitarian Law has started off the new year with a flurry of activity, hosting several human rights conferences and events. In September, Professor Herman Schwartz, Co-Director of the Center, hosted a symposium on **"Constitutional Resolution in the Ex-Communist World: The Rule of Law."** This day-long symposium focused on the development and promotion of the rule of law in the former communist world. Speakers included the Honorable Lloyd Cutler, former Counsel to Presidents Jimmy Carter and Bill Clinton, and Aryeh Neier, President of the Open Society Institute.

Also in September, **Lord Eric Aveybury**, Chairman of the Parliamentary Human Rights Group in the U.K. and former Liberal Chief Whip, spoke at a luncheon meeting sponsored by the Center in September, on the conflict between the Turkish government and the Kurdish people. Leo Zwaak, a professor at the University of Utrecht, the Netherlands, also spoke at the luncheon and outlined the European position on the conflict.

Dr. Wandira Kazibwe, Vice President of the Republic of Uganda, spoke at a luncheon sponsored by the Center and hosted by Dean Claudio Grossman. Her topic was **"The Role of Women in the Developmental Process"** and centered on the progressive role of women in the Ugandan government and on poverty as the primary obstacle to women's development.

**The African Commission on Human and People's Rights** visited the Center to meet and interact with staff and students regarding the Commission's future goals to affect fundamental human rights in

Africa. In the past, regional politics have interfered with the exercise of the Commission's powers under its Charter. To overcome this obstacle, the Commission is aiming to educate the African people about their rights and has begun accepting complaints from individuals as well as from states. The conference at WCL was the first significant visit to an American academic institution by the Commission.

In October, the Center sponsored a talk by **Peter Backes**, LL.M. '95, who is currently working as the Legal Advisor for the Mediator of the Federation of Bosnia-Herzegovina and recently served as an observer for the federal elections in Bosnia in September. He spoke about the current political environment, the importance of elections and his beliefs about the country's future, but urged an expansion of IFOR's mandate in order to capture indicted war criminals.

Also in October, the International Legal Studies Program on the Law and Government, along with the Center, sponsored a conference on **"The Role of the State in Promoting Sustainable and Equitable Development."** The purpose of this conference was to bring together lawyers, economists, government officials, and international civil servants to explore some of the fundamental questions related to the role of the state in development.

In November, WCL and the US Department of Labor, along with WCL's International Law Society, hosted a symposium on **"The North American Agreement on Labor Cooperation: Linking Labor Standards and Rights to Trade Agreements."** This day-long meeting consisted of a variety of panels headed by government officials and academic commentators including Irasema Garza from the U.S. Department of Labor, WCL Professor Mark Hager, and Visiting WCL Professor Jerome Levinson.

### WCL Research Office

In May 1996, the Open Society Institute of the Soros Foundation renewed and increased funding to the Research



Mark Brzezinski, Herbert Hausmaninger and Kim Lane Scheppelle discuss "Constitutional Courts and the Rule of Law" at "Refolution" Symposium.

Office for the War Crimes Tribunal for former Yugoslavia. The Office, established in August 1995, provides legal research support to the Office of the Prosecutor (OTP) for the International Criminal Tribunals for the former Yugoslavia and Rwanda.

The grant of \$201,000 enabled the Office to hire a Senior Research Associate, Brian Tittmore (LL.M. '95), an attorney with the Canadian Department of Justice who will assist the Office Director, Professor Orentlicher, as well as the Office Coordinator, Rochus Pronk, in supervising student research projects.

The Office also has received an influx of new students to undertake research projects through the newly created War Crimes Research Seminar. These students research and write, on a confidential basis, about timely legal issues referred to the Office by the OTP. The Office has developed a network of comparative and international law experts to assist and advise the staff on complex humanitarian and comparative criminal legal issues.

### Mental Disability Rights International

A project of the Center, MDRI has been busy generating momentum for meaningful mental health reform in Central Europe and Latin America, including releasing its second human rights report, **"Human Rights & Mental Health: Hungary"** (see related article). Catherine O'Malley, Program Director of MDRI's Americas Advocacy Initiative, recently presented testimony before the OAS and provided recommendations to their draft convention on disability rights (see related article). Eric Rosenthal, Executive Director of MDRI, led a seminar on Human Rights



Aryeh Neier speaks on "Promoting the Rule of Law in the Former Soviet Bloc."



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Oversight and Advocacy at a conference sponsored by the International Mental Health Network in Bratislava. MDRI also welcomed two new staff members, Kate Nahapetian, who will serve as Program Assistant, and Charlotte Oldham-Moore as Advocacy Associate.

### Inter-American Human Rights Moot Court Competition

In late May 1996, WCL held the inaugural Inter-American Human Rights Moot Court Competition, the first bilingual competition of its kind. In all, 25 teams comprised of 47 future attorneys representing 22 law schools in 13 countries, spent six months studying the jurisprudence and procedure of the Inter-American System of Human Rights in preparation for their oral arguments.

The week-long competition incorporated more than 28 rounds and over 50 volunteer judges. Each of the Preliminary and Semi-Final rounds was heard by a panel of three judges. Area experts from the permanent missions to the OAS and an Honor Panel of eight distinguished practitioners heard the arguments in the Final Round. The Panel consisted of: Rodolfo Piza Escalante, a judge on the Constitutional Court of Costa Rica; Dr. Oscar Lujan Fappiano of the Inter-American Commission on Human Rights (Commission); Claudio Grossman, President of the Commission; Dr. Carlos Ayala Corao, second Vice President of the Commission; Gustavo Gallon, Comisión Colombiana de Juristas; José Miguel Vivanco, HRW/Americas; Juan Mendez, Inter-



File Photo

(Left to right) Jennifer Morris, Mariana Benavides, Patricia Jones, Cristina Landazuri and Robert Guitteau are already busy preparing for the Second Annual Inter-American Moot Court Competition.

American Institute of Human Rights; and WCL Professor Robert Goldman, also a member of the Commission.

One unique aspect of this bilingual competition was the additional opportunity for the students to meet and interact with academics, experts, government representatives, and NGOs. The inaugural competition allowed over 200 students, practitioners, and academics to come together and bring a seven-page hypothetical case to life for five days of reasoned, substantive debate on issues ranging from forced disappearance to due process.

The Inter-American Human Rights Moot Court research team is preparing for the Second Inter-American Moot Court Competition next May. This bilingual (Spanish-English) competition is open to all J.D. (or equivalent) and LL.M. (or post-graduate) students who have not already practiced as attorneys in the field.

Anyone interested in competing or getting involved with the competition can check our Internet site (<http://www.wcl.american.edu/pub/humright/home.htm>) for deadlines, rules, guidelines and frequently asked questions.

### Inter-American Human Rights Digest Project

The Inter-American Human Rights Digest Project was created last year as a result of a \$368,000 grant from the Dutch government. The Project's research team is composed of Dean Claudio Grossman, Professor Robert K. Goldman, and attorneys Claudia Martín and Diego Rodríguez. An advisory board operates as a consultation mechanism and meets regularly to

evaluate the progress of the project.

The Digest's main objective is the publishing of a jurisprudential repertoire of the Inter-American Human Rights System. The Project members held their first meeting on May 31, 1996. Dean Claudio Grossman presided over the meeting of recognized professionals in the area of international human rights.

Two important aspects of the Digest were established during this meeting. First, the Digest will adopt an inclusive attitude toward contradictory jurisprudence. It will include references to individual cases adopted by the Commission, as well as special reports and studies that were fundamental to the interpretation of the articles of the American Declaration and Convention. Second, the Digest will be published in stages. As soon as the jurisprudence of the Inter-American Court is finished, it will be published.

The Digest Project has been guided by the work carried out by the Netherlands Institute of Human Rights (NIHR), which in cooperation with the Directorate of Human Rights of the Council of Europe, has indexed the jurisprudence of the European Human Rights System. The NIHR research team is advised by Professor Leo Zwaak of the University of Utrecht, the Netherlands. He is also the director of the Digest of Strasbourg Case Law. Recently, Professor Zwaak met with the Digest research team to give advice and feedback on technical issues of methodology.

The Digest expects the case law of the Inter-American Court to be ready for publication by the spring of 1997. ☺



File Photo

Professor Leo Zwaak met with WCL's Claudia Martín and Diego Rodríguez to provide advice for the Digest Project.